**10**/563570 IAP15 Rec'd PGT/PTO 06 JAN 2006

ATTORNEY DOCKET NO. 059742-5001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re Application of:                     | )                             |   |
|---|-------------------------------|---|
| David H. WAGNER                           | ) Group Art Unit: Unassigne ) | d |
| Application No.: Unassigned               | ) Examiner: Unassigned        |   |
| Based on PCT/US2004/021646                | )                             |   |
| (International Filing Date: July 7, 2004) | )                             |   |
|   | )                             |   |
| Filed: Herewith                           | )                             |   |

For: METHODS FOR PREDICTING DEVELOPMENT

OF AUTO-IMMUNE DISEASES AND TREATMENT OF SAME

Commissioner for Patents

MAIL STOP PATENT APPLICATION

## **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A copy of each listed document is attached. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. An International Search Report citing these documents and setting forth the relevance thereof is also enclosed for the Examiner's consideration.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If it should be determined that the listed document constitutes "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document. Applicant further reserves the right to take

Revised: 12/5/05

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appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP** 

ally P. Terg

Registration No. 45,397

Date: <u>January 6, 2006</u>

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Revised: 12/5/05

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| INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) |  |                    | Attorney Docket No.<br>059742-5001 |  | Serial Na. U., 12035  <br>Based on PCT/US04/021646 |                          |              |                       |  |         |
|---|--|--------------------|------------------------------------|--|--|--------------------------|--------------|-----------------------|--|---------|
|   |  |                    | Applicants David H. WAGNER         |  |  |                          |              |                       |  |         |
| PTO Form 1449   |  |                    | Filing Date<br>Herewith            | Filing Date Group  |  |                          |              |                       |  |         |
|   |  | <del></del>        | U.S. PATE                          | NT DOCUMENTS   |  | Unassigned               | 1            |                       |  |         |
| *Examiner<br>Initial  |  | Document<br>Number | Date                               | Name   | Class  | Sub<br>Class Filing Date |              |                       |  | ng Date |
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|   | 1  | Document           | FOREIGN PA                         | TENT DOCUMENTS   | <del>-</del> 1                                     | C b                      | T            | -1-4:                 |  |         |
|   |  | Number             | Date                               | Country  | Class  | Sub<br>Class             | YES          | Translation<br>YES NO |  |         |
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|   |  | OTHER DOCUM        | ENTC (Including                    | Author Title Date Dertine                                  | ant Dance  | <u> </u>                 | <u> </u>     | <u> </u>              |  |         |
|   | Γ  |                    |                                    | Author, Title, Date, Pertine<br>vival in mice treated with |  |                          | sion and     | anti-                 |  |         |
|   | Gordon, J.E. et al. Rat xenograft survival in mice treated with donor-specific transfusion and anti-<br>CD154 antibody is enhanced by elimination of host Cd4+ cells. TRANSPLANTATION, Volumn 71,<br>Number 2, January 27, 2001, pages 319-327, see entire document. |                    |                                    |  |  |                          |              |                       |  |         |
|   |  |                    |                                    | ·  |  |                          |              |                       |  |         |
|   |  |                    |                                    |  |  |                          |              |                       |  |         |
| Examiner  | xaminer Date Considered  |                    |                                    |  |  |                          |              |                       |  |         |
| Examiner:<br>throug<br>applic                                     | gh cita  |                    |                                    | not citation is in conforma<br>ensidered. Include copy of  |  |                          |              |                       |  |         |

Revised: 12/5/05